

EXPEDITED PROCEDURE
RESPONSE UNDER 37 CFR §1.11
GROUP ART UNIT: 1642



Docket No. 50130-E/JPW/CMR
March 12, 2001

In re application of: Daniel J. Capon, Jeannette M. Whitcomb
and Neil T. Parkin

Serial No.: 09/126,559

Group Art Unit: 1642

Filed: July 30, 1998

Examiner: B. Brumback

For: COMPOSITIONS AND METHOD FOR DETERMINING ANTI-VIRAL DRUG SUSCEPTIBILITY
AND RESISTANCE AND ANTI-VIRAL DRUG SCREENING

HONORABLE ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

S I R:

Transmitted herewith is an amendment to the above-identified
application.

Small entity status of this application under
37 C.F.R. § 1.9 and § 1.27 has been established by
a verified statement previously submitted.

a verified statement to establish small entity
status under 37 C.F.R. § 1.9 and § 1.27 is enclosed.

No additional fee is required.

The filing fee is calculated as follows:

	NUMBER AFTER AMEND- MENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		NUMBER OF EXTRA CLAIMS PRESENTED	RATE		FEE	
						SMALL ENTITY	OTHER ENTITY	SMALL ENTITY	OTHER ENTITY
Total Claims	9	-	* 20	=	*** 0	x 9	18	=	0
Independent Claims	6	-	** 7	=	*** 0	x 40	80	=	0
Multiple Dependent Claims(s) Presented For First Time:			Yes <input checked="" type="checkbox"/> No			135	270	0	
						TOTAL ADDITIONAL \$ 0.00 FEE			

*If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.

**If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.

***If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than "0", write "0" in the space.

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Amendment Transmittal Letter
Page 2

The "HIGHEST NUMBER PREVIOUSLY PAID FOR" (Total or Independent) is the highest of the "NUMBER AFTER AMENDMENT" in any prior amendment or the number of claims as originally filed.

Please charge Deposit Account No. _____
in the amount of \$ _____.

A check in the amount of \$ 455.00 is enclosed.
(\$455.00 to cover 3-Month Extension Fee)

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 03-3125. Three copies of this sheet are enclosed.

Any filing fees under 37 C.F.R. §1.16 for the presentation of extra claims.

Any patent application processing fees under 37 C.F.R. §1.17.

Respectfully submitted,



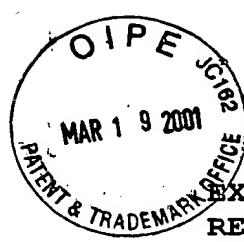
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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

John P. White
Reg. No. 28,678

Date

3/12/01



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**EXPEDITED PROCEDURE
RESPONSE UNDER 37 CFR §1.116
GROUP ART UNIT: 1642**

Dkt. 50130-E/JPW/CMR

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Daniel J. Capon, Jeannette M. Whitcomb and
Neil T. Parkin

Serial No. : 09/126,559 Examiner: B. Brumback

Filed : July 30, 1998 Group Art Unit: 1642

For : COMPOSITIONS AND METHODS FOR DETERMINING ANTI-VIRAL DRUG SUSCEPTIBILITY AND RESISTANCE AND ANTI-VIRAL DRUG SCREENING

1185 Avenue of the Americas
New York, New York 10036
March 12, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231

SIR:

AMENDMENT IN RESPONSE UNDER 37 CFR §1.116
IN REPLY TO SEPTEMBER 12, 2000 FINAL OFFICE
ACTION AND PETITION FOR A THREE-MONTH EXTENSION OF TIME

This Response is submitted in reply to the September 12, 2000 Final Office Action issued by the U.S. Patent and Trademark Office in connection with the above-identified application. A Response to the September 12, 2000 Final Office Action was originally due December 12, 2000. Applicants hereby petition for a three-month extension of time from December 12, 2000 to March 12, 2001. The fee for a three-month extension of time for a small entity is FOUR-HUNDRED FORTY FIVE DOLLARS (\$445.00) and a check in this amount is enclosed. Applicants have previously established small entity status. Accordingly, a response to the September 12, 2000 Office Action is now due March 12, 2001 and this Amendment is being timely filed.

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